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TO:	Technology Center 1745 Gregg Cantelmo	FROM:	Tracy M. Heims
COMPANY:	U.S. Patent & Trademark Office	DATE:	12/9/2004
FAX NUMBER:	(703) 872-9306	TOTAL NO. OF PAGES INCLUDING COVER:	17
PHONE NUMBER:	(571) 272-1283	SENDER'S REFERENCE NUMBER:	001-03-030
RE:	RCE Submission	YOUR REFERENCE NUMBER:	SN: 09/870,771 Filing Date: 06/01/2001

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☒ PLEASE FILE

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First Named Inventor: Takaya Sato

Title: ELECTRODE STRUCTURE, BATTERY AND ELECTRICAL DOUBLE-LAYER CAPACITOR AND METHOD OF MANUFACTURING SAME

Kindly file the attached Request for Continued Examination. Please direct any questions concerning this application to Tracy M Heims at the phone number listed above.

Sincerely,

  
Tracy M Heims**BEST AVAILABLE COPY**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Takaya Sato et al.

Serial Number: 09/870,771

Group Art Unit: 1745

Filed: June 1, 2001

Examiner: Gregg Cantelmo

Title: ELECTRODE STRUCTURE, BATTERY AND ELECTRICAL DOUBLE-  
LAYER CAPACITOR AND METHOD OF MANUFACTURING SAME

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**REQUEST FOR RCE WITH PRELIMINARY AMENDMENT & COMMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1453

December 9, 2004

Commissioner:

In response to the Official Action of June 9, 2004, Applicant hereby requests continued examination of the above referenced application in compliance with 37 C.F.R. 1.114. Applicant hereby encloses the attached preliminary amendment as evidence in support of patentability to satisfy the submission requirement of 37 CFR 1.114.

On 08/09/2004 Applicant fax submitted a response to the Final Office Action and no Advisory Action was ever sent by the Examiner. On 12/09/2004 a conversation was had with the Examiner and Examiner stated that he had not received the documents but noted that they were timely sent to the USPTO. Examiner had record of the submission but had not actually received the submission. The response documents

submitted on 08/09/2004 were faxed directly to the Examiner on 12/09/2004. On the same day the Examiner reviewed the documents and phoned Applicant. Examiner informed Applicant that the claim 10 amendment was sufficient to remove the §112 rejection; however, Examiner stated that the arguments presented by Applicant were insufficient to overcome the §103 rejection.

In response to the rejection given by the Examiner during the interview on 12/09/2004 the Applicant herewith files an RCE with submission. Applicant believes that this response is timely and that there is no need for any extensions. Should there be any deficiencies or need for extension applicant hereby petitions for any necessary extension and authorizes the Director to charge applicant's charge account 50-2069. Please credit any overpayment to this account.

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